

Support for new claim 96 (based on previous claim 32), element (b) regarding containment means “where a player may view the visual means” can be found at ¶83, page 15 (lines 15-17) of the Specification; further support for elements (b) and (c) of claim 96 is provided by previous claims 40 and 41. New claims 97-103 are based on previous claims 32-38, respectively; and claim 104 is based on previous claim 42.

Support for new claims 77 and 105 can be found at ¶104, page 20 (lines 21-22); ¶121, pages 25-26; and ¶198, page 47 (lines 18-19) of the Specification. Support for new claims 78, 94, 95 and 106 can be found at ¶104, page 20 (lines 21-22) of the Specification.

Applicants respectfully submit that the Amendment does not introduce new matter and request that the Amendment be entered.

## **REMARKS**

### **1. Brief Summary of the Invention**

One embodiment of Applicants’ invention relates to a gaming device that includes a gaming device housing having a moveable mechanical display device, for example a cage-type display container, coupled thereto. At least one moveable object is configured to move within the cage-type display container and the container may be rotatable when there is no active game being played on the gaming device. The moveable object comprises at least one moveable object symbol. A controller is provided that is in communication with at least one controller selectable object. The controller selectable object comprises at least one controller selectable object symbol that is substantially similar in appearance to the moveable object. The controller selectable object may be displayed to the player and provides an illusion to the player that the controller selectable object is the moveable object. A game display is also provided and may be

in communication with the controller. The game display is configured to display a display symbol in at least one display position. A game outcome at least partially depends on the display position of the display symbol.

**2. Rejection of claims 1-18, 20-38, 40-42 and 47-51 under 35 USC 103(a) as being obvious over Glasson et al. (US Patent Application Publication 2002/0177478) in view of Rivero (U.S. Patent No. 4,871,171).**

Claims 1-55 have been cancelled and Applicants respectively submit that new claims 56-106 are not obvious under 35 USC 103(a) over Glasson et al. in view of Rivero. Applicants respectfully traverse any rejection based on new claims 56-106.

Neither Glasson nor Rivero, either individually or in combination, disclose or suggest Applicants' claimed invention involving "moving the container when no active game is being played on the gaming device." The Office has previously contended that "it would have been obvious to a person of ordinary skill in the art to provide an attraction mode wherein ... container continues to rotate when no active game is being conducted in Glasson's gaming device." However, the Office has provided no basis for this conclusion. There is no disclosure or suggestion in either Glasson et al. or Rivero to motivate one of ordinary skill to further modify the disclosed teachings in a manner to arrive at the specific limitations of Applicants' invention. Without some objective reason to combine the teachings of Glasson et al. and Rivero in a way to arrive at the present invention (MPEP 2143.01), the Office has failed to establish a case for *prima facie* obviousness.

In re application of: Jerald C. Seelig et al.

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**CONCLUSION**

For all of the above reasons, Applicants respectfully submit that the present application is in condition for allowance. If the Examiner has any questions regarding the application or this response, the Examiner is encouraged to call Applicants' attorney, Ian F. Burns, at (775) 826-6160.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'IB' followed by a long, sweeping horizontal line that extends to the right.

Ian F. Burns  
Attorney for Applicants  
Registration No.: 33,297